

ESTTA Enhancements, August 2018

We are deploying these improvements to ESTTA on Saturday, August 11:

- [Enhancements to Consent Motion forms for oppositions and cancellations;](#)
- [Enhancements to the Request for Extensions of Time to Oppose form and process;](#) and
- [Additional proceeding status indicators in TTABVUE](#)

Enhancements to Consent Motion forms (opposition or cancellation)

What can I expect to see in the enhanced consent motion forms?

- **A simplified form displaying the current proceeding schedule:** includes disclosure, briefing and the optional request for oral hearing due date, in the form of a trial order
- **Three options to extend dates:** 30, 60, or 90 days
- **Four options to suspend and automatically resume dates:** 30, 60, 90, or 180 days
- **A seamless way to recalculate proceeding dates:** Based on the number of days selected, the system will recalculate the resumption date and proposed schedule dates for all open dates in the current schedule

Below are two examples of what you will see in the forms. The first is for an extension. The second is for a suspension with a resumption schedule.

Current Schedule and Proposed Schedule

Please select the length of the extension to which the parties have consented.

60 Days ▼

After selecting a desired length of extension, you may save this session by choosing the "Save Session" option below. However, if the saved session is resumed at a later date, and one or more dates in the "Current Schedule" have become "CLOSED," you will be required to re-select the desired length of extension.

	Current Schedule	Proposed Schedule
Time to Answer	03/28/2018	05/27/2018
Deadline for Discovery Conference	04/27/2018	06/26/2018
Discovery Opens	04/27/2018	06/26/2018
Initial Disclosures Due	05/27/2018	07/26/2018
Expert Disclosures Due	09/24/2018	11/23/2018
Discovery Closes	10/24/2018	12/23/2018
Plaintiff's Pretrial Disclosures Due	12/08/2018	02/06/2019
Plaintiff's 30-day Trial Period Ends	01/22/2019	03/23/2019
Defendant's Pretrial Disclosures Due	02/06/2019	04/07/2019
Defendant's 30-day Trial Period Ends	03/23/2019	05/22/2019
Plaintiff's Rebuttal Disclosures Due	04/07/2019	06/06/2019
Plaintiff's 15-day Rebuttal Period Ends	05/07/2019	07/06/2019
Plaintiff's Opening Brief Due	07/06/2019	09/04/2019
Defendant's Brief Due	08/05/2019	10/04/2019
Plaintiff's Reply Brief Due	08/20/2019	10/19/2019
Request for Oral Hearing (optional) Due	08/30/2019	10/29/2019

Extension option

Current Schedule and Proposed Schedule

Please select the length of the suspension to which the parties have consented. ▲	60 Days ▼
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After selecting a desired length of suspension, you may save this session by choosing the "Save Session" option below. However, if the saved session is resumed at a later date, and one or more dates in the "Current Schedule" have become "CLOSED," you will be required to re-select the desired length of suspension.

Proceeding to resume on 05/12/2018 .

	Current Schedule	Proposed Schedule
Time to Answer	05/30/2017 (CLOSED)	05/30/2017 (CLOSED)
Deadline for Discovery Conference	06/29/2017 (CLOSED)	06/29/2017 (CLOSED)
Discovery Opens	06/29/2017 (CLOSED)	06/29/2017 (CLOSED)
Initial Disclosures Due	07/29/2017 (CLOSED)	07/29/2017 (CLOSED)
Expert Disclosures Due	08/13/2017 (CLOSED)	08/13/2017 (CLOSED)
Discovery Closes	09/12/2017 (CLOSED)	09/12/2017 (CLOSED)
Plaintiff's Pretrial Disclosures Due	10/27/2017 (CLOSED)	10/27/2017 (CLOSED)
Plaintiff's 30-day Trial Period Ends	12/11/2017 (CLOSED)	12/11/2017 (CLOSED)
Defendant's Pretrial Disclosures Due	12/26/2017 (CLOSED)	12/26/2017 (CLOSED)
Defendant's 30-day Trial Period Ends	02/09/2018 (CLOSED)	02/09/2018 (CLOSED)
Plaintiff's Rebuttal Disclosures Due	02/24/2018 (CLOSED)	02/24/2018 (CLOSED)
Plaintiff's 15-day Rebuttal Period Ends	03/26/2018	05/25/2018
Plaintiff's Opening Brief Due	05/25/2018	07/24/2018
Defendant's Brief Due	06/24/2018	08/23/2018
Plaintiff's Reply Brief Due	07/09/2018	09/07/2018
Request for Oral Hearing (optional) Due	07/19/2018	09/17/2018

<input type="button" value="Next"/> <input type="button" value="Back"/> <input type="button" value="Cancel"/> <input type="button" value="Save Session"/>

Suspension and resumption option

Tips for using the enhanced consent motion form:

1. **What should I do if the proceeding schedule dates are incorrect or not available?**

Contact the TTAB Assistance Center during normal business hours (8:30 a.m. to 5 p.m. ET) at 571-272-8500 or email TTABInfo@uspto.gov.

2. What should I do if the number of days I would like to extend or suspend is not available under the Consent Motion form?

Use the Opposition, Cancellation or Concurrent Use (general filings) option and attach your request in the form of a trial order.

3. Will I be able to see the proceeding schedule using the Suspension for Civil Action option?

No. The proceeding schedule will only display under the Extend Dates or Suspend for Settlement options.

4. How do I submit suggestions for future enhancements to this form?

Provide your suggestions within an email to TTABInfo@uspto.gov.

Enhancements to the Request for Extension of Time to Oppose form and process

What can I expect in the enhanced form and process?

- New electronic filing options for Potential Opposer and Applicant
 - Potential Opposer
 - Relinquish an Extension of Time to Oppose
 - Respond to a Board inquiry or order
 - Applicant
 - Request to reconsider an extension of time to oppose
 - Objection to further extensions of time to oppose
 - Respond to a Board inquiry or order
- Extensions of time to oppose requiring manual processing will now be available on TTABVUE before they are considered.

You will be able to view the filing to confirm receipt in TTAB via TTABVUE within 24 hours. If you do not see the filing on TTABVUE after 24 hours, contact the TTAB Assistance Center.

Tips for using the enhanced filing options:

- 1. If I can view a pending request for an extension of time to oppose in TTABVUE, will the option be available to file a further request to extend in ESTTA prior to TTAB's action on the pending request?**

No. You will not be able to submit another extension request or respond to any pending extension request in ESTTA until TTAB grants the extension. Please allow at least seven (7) business days from the date of submission for processing.

- 2. How do I submit feedback or suggestions for future enhancements to the extension of time to oppose process?**

Email your suggestions to TTABInfo@uspto.gov.

Additional proceeding status indicators in TTABVUE

What can I expect to see differently in TTABVUE?

You can expect to see new TTAB proceeding statuses within the "Status" section of the proceeding on TTABVUE.

What are the new proceeding statuses and what do they mean?

- **Suspended** – TTAB suspended proceedings due to settlement discussions, pending disposition of another proceeding or litigation, consideration of a motion, etc.
- **Jurisdiction Restored to TM** – TTAB's action is suspended or precluded pending Trademarks action on the subject application or registration.
- **Extension of Time to Oppose Filed** – TTAB received a request for an extension of time to oppose and it is under consideration and/or granted.

Tips for new proceeding statuses:

What should I do if the proceeding status is incorrect?

Contact the TTAB Assistance Center during normal business hours at 571-272-8500 (8:30 a.m. to 5 p.m. ET) or email TTABInfo@uspto.gov.